

August 2, 2007

The Honorable Brian Baird
United States House of Representatives

Dear Representative Baird,

The Voter Confidence and Increased Accessibility Act, HR 811, could be up for a floor vote at anytime. Though the manager's amendment is better than previous versions of the bill, I continue to oppose the bill. **I strongly urge you to vote "no"** and to stand up for the states.

I was relieved to see that the deadline for the implementation of the accessible ballot verification system was extended to 2012. This is an improvement. However, this amendment continues to:

- **Be unnecessarily prescriptive.** The law should provide policy objectives and leave it up to the states to implement using the best technology and procedures available. For example, by dictating that very specific components be included in voting systems, Congress is limiting innovation. Manufacturers will be boxed into producing what Congress has mandated instead of inventing systems that may be better at meeting the needs of those with disabilities. The federal certification process put into place by HAVA provides the best approach to setting technical standards for voting equipment that meets policy objectives set out by Congress.
- **Be unclear.** Despite the fact that the amendment mandates very specific procedures, some requirements continue to be unclear. States will be subjected to unnecessary litigation. If the intent is to ban thermal paper (a position I oppose), the amendment should clearly state such paper must not be used. Instead, language suggests thermal paper does not meet the durability requirement. Our voting system manufacturers have assured us that our systems, which all use thermal paper, meet the durability standards of the bill. What does Congress truly intend? Why should Congress micromanage to the point of saying what type of paper must be used?
- **Lack funding.** Though there is an appropriation for 2008, no funds are set aside for 2009. The amendment simply states, "such sums as may be necessary to enable the States to meet the requirements" is available. Congress has not even fully funded HAVA. Why should we be assured funding will be available in

2009? There must be funding for the states to meet federal mandates.

- **Ignore procedures states have in place.** States already have proven procedures in place for audits and recounts. In a statewide race in Washington, if the margin of victory is less than 1,000 votes and less than a .25%, every single vote is recounted manually. Requiring manual audits and recounts of all federal races, even when the margin of victory is not close, is unnecessary and wasteful. Additionally, the amendment states elections cannot be certified until audits are complete. All 39 counties will be required to conduct audits in at least one precinct each. Certification will be delayed substantially and unnecessarily.

I appreciate your attention to this issue. Please call on me if I can provide you with any additional information at (360) 902-4199.

Sincerely,

A handwritten signature in cursive script, reading "Sam Reed". The signature is written in dark ink and is positioned above the printed name and title.

SAM REED
Secretary of State